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Hon. Lewis J. Liman, United States District Judge
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Octagon Media Corp. v. Facebank Group, Inc., and FuboTV, Inc., Case No. 21-cv-4573*

Dear Judge Liman:

This firm represents Defendants Facebank Group, Inc., and FuboTV Inc. ("Defendants") in the above-referenced action. Pursuant to section 1.A. of Your Honor's Individual Practices in Civil Cases, the parties are jointly submitting this letter to inform Your Honor that they have reached a resolution in principle of the matter and are currently working on final documentation of that resolution. The parties anticipate that they will be able to finally resolve the matter within the next 1-2 weeks, after which the action would be dismissed with prejudice.

As confirmed by Your Honor's September 24, 2021, Order (Dkt. 12), the Initial Pretrial Conference in this action is currently set for October 21, 2021, at 2:00 p.m., and the parties are required to submit a proposed Case Management Plan and Scheduling Order by no later than one week prior to the conference (i.e. October 14, 2021). The parties respectfully suggest that, given the resolution in principle and expectation to dismiss the action in short order, the Court's time and resources may be conserved by suspending the current schedule. Of course, should the Court prefer to go forward with the Initial Pretrial Conference, the parties will fully comply with their obligations related thereto.

Thank you for your consideration. Please let me know if there is any additional information that the parties can provide to the Court.

Respectfully Submitted,

/s/ James R. Levine
James R. Levine

cc: Counsel of record (by ECF)